

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH CAROLINA

IN RE: )  
SUSAN MICHELLE DAVIS ) CASE NO: 15-02884 - dd  
 ) Chapter: 13  
 )  
 )  
\_\_\_\_\_Debtor(s)\_\_\_\_\_ )

**TO: All Creditors and Parties in Interest**

**NOTICE AND APPLICATION FOR SALE OF PROPERTY FREE AND CLEAR OF  
LIENS**

YOU ARE HEREBY NOTIFIED that Susan Michelle Davis is applying for approval to sell her undivided one-half interest in the property of the debtor's estate described below free and clear of all liens and encumbrances according to the terms and conditions stated below:

TAKE FURTHER NOTICE that any response, return and/or objection to this application, should be filed with the Court no later than twenty-one (21) days from service of motion/application and a copy simultaneously served on all parties in interest.

TAKE FURTHER NOTICE that no hearing will be held on this application unless a response, return and/or objection is timely filed and served, in which case, the Court will conduct a hearing on September 11, 2017, at 10:00 a.m. at J. Bratton Davis United States Bankruptcy Courthouse, 1100 Laurel Street, Columbia, SC 29201. No further notice of this hearing will be given.

TYPE OF SALE: private

**PROPERTY TO BE SOLD:**

All that certain piece, parcel or lot of land situate, lying and being in Long Branch School District, County of Barnwell, State of South Carolina, containing 1.5 acres as shown on a Plat prepared by J.H. Brodie, RLS, dated December 20, 1974 and recorded in Plat Book S at Page 197 in the Office of the Clerk of Court for Barnwell County, South Carolina, and, according to said Plat, being more particularly described as follows: Beginning at a point on the Southern corner of said lot and running thence North 45 degrees 49 minutes West for a distance of 285.35 feet to a point; thence North 38 degrees 59 minutes East for a distance of 231.20 feet to a point; thence South 52 degrees 20 minutes East for a distance of 248.20 feet to a point, thence South 31 degrees 10 minutes West for a distance of 265.20 feet to the point of beginning. Said lot is generally bounded as follows: On the Northeast by property of H.N. Hays; On the Southeast by 66 foot proposed road as shown on said Plat; On the Northwest by property of the Estate of T.L. Biggers.

Being the same property conveyed to Clyde G. Davis Jr. and Michelle D. Davis by deed of James Satkowski and Barbara J. Satkowski dated April 19, 2011 and recorded in Book 957 at Page 117 in the Office of the Clerk of Court for Barnwell County, South Carolina.

TMN: 052-00-00-021

PRICE: \$175,000.00 (Debtor's share is half. Her husband owns the other half)

APPRAISAL VALUE: \$179,590.00 BUT DEBTOR IS SELLING THE PROPERTY WITHOUT AID OF A REALTOR AND WITHOUT PAYING A COMMISSION, AND WILL NET \$5,910 MORE AT THE PROPOSED SALES PRICE THAN IF SOLD BY THROUGH A REALTOR AT THE APPRAISED VALUE.

BUYER: GERALD MCDONALD AND FAYE MCDONALD, 492 Goss Lane Barnwell SC 29812. No relation to Debtor

PLACE AND TIME OF SALE: 110 Main Street Barnwell SC on or before September 12, 2017 at or before 5:00 p.m..

SALES AGENT/AUCTIONEER/BROKER: NONE

COMPENSATION TO SALE AGENT/AUCTIONEER/BROKER/ETC: NONE; HOWEVER, DEBTOR AS SELLER HAS AGREED TO PAY FOR PREPARATION AND RECORDING OF THE DEED AND CANCELLING THE MORTGAGE OF RECORD, AMOUNTING TO \$877.50. DEBTOR HAS AGREED THAT 2017 PROPERTY TAXES WILL BE PRO-RATED AS OF THE DATE OF CLOSING

ESTIMATED TRUSTEE'S COMPENSATION: \$0\_\_

LIENS/MORTGAGES/SECURITY INTERESTS ENCUMBERING PROPERTY: 2016 BARNWELL COUNTY TAXES IN THE SUM OF \$1,593.96; FIRST MORTGAGE LIEN HELD BY: JAMES SATKOWSKI AND BARBARA SATKOWSKI, WITH APPROXIMATE BALANCE DUE OF \$140,000, LIENHOLDER CONSENTS TO THE SALE, TAXES WILL BE PAID AND LIEN WILL BE SATISFIED FROM PROCEEDS OF SALE LEAVING AN APPROXIMATE NET BALANCE TO DEBTOR AND HUSBAND OF \$31,772.27.

DEBTOR'S EXEMPTION: \$15,886.14. DEBTOR WILL USE HER EXEMPTION TO APPLY TO PURCHASE PRICE OF A REPLACEMENT HOME. DEBTOR'S HUSBAND WILL BE THE SOLE BORROWER ON THE INTENDED TRANSACTION AND DEBTOR WILL BE INCURRING NO ADDITIONAL DEBT.

PROCEEDS ESTIMATED TO BE PAID TO ESTATE: \$0.00

STAY OF ORDER: DEBTOR REQUESTS THAT THE AUTOMATIC 10-DAY STAY NOT APPLY TO THE FINAL ORDER APPROVING THIS SALE.

Applicant is informed and believes that it would be in the best interest of the estate to sell said property by private sale. Applicant also believes that the funds to be recovered for the estate from the sale of said property justify its sale and the filing of this application.

The Court may consider additional offers at any hearing held on this notice and application for sale. The Court may order at any hearing that the property be sold to another party on equivalent or more favorable terms.

The trustee or debtor in possession, as applicable, may seek appropriate sanctions or other similar relief against any party filing a spurious objection to this notice and application.

WHEREFORE, applicant requests the Court issue an order authorizing sale of said property and such other and further relief as may be proper.

Date: August 9, 2017

/s/J. Martin Harvey  
Signature of Applicant

J. Martin Harvey  
Attorney for Debtor  
P.O. Box 705  
Barnwell, S.C. 29812  
Fed. I.D. No: 1758

CERTIFICATE OF SERVICE

I, Sarah Wood, legal assistant to J. Martin Harvey, attorney for debtor, do hereby certify I have served the foregoing Trustee, via electronic service, and creditor with a copy of a Notice and Application For Sale of Property, by serving a copy with postage pre-paid, by United States Mail, to the addresses below:

B&B Loans  
13025 Main St  
Williston SC 29853

Barnwell County  
Treasurer  
57 Wall Street, Room 123  
Barnwell SC 29812

Clyde G. Davis Jr  
82 Summer Drive  
Barnwell SC 29812

Comenity Bank/Ann Taylor  
Attention: Bankruptcy  
Po Box 182686  
Columbus OH 43218

Comenity Bank/New York & Company  
Attention: Bankruptcy  
P.O. Box 182125  
Columbus OH 43218

James & Barbara Satkowski  
261 Governors Grant Blvd  
Lexington SC 29072

Local Finance  
10131 Ellenton Street  
Barnwell SC 29812

Palmetto State Bank  
230 Main St  
Allendale SC 29810

Portfolio Recovery  
Attn: Bankruptcy  
Po Box 41067  
Norfolk VA 23541

Receivable  
1325 Garner Lane  
Columbia SC 29210

Regional Finance  
104 Main Street  
Barnwell SC 29812

S C Electric & Gas  
I-26  
Columbia SC 29218

Sca Collect  
Po Box 876  
Greenville NC 27835

Srp Federal Credit Uni  
1920 Whiskey Rd  
Aiken SC 29802

Tek-collect Inc  
Pob 1269  
Columbus OH 43216

The Limited/WFNNB  
Wfnnb/Attn: Bankruptcy  
Po Box 182686  
Columbus OH 43218

World Acceptance Corp  
World Acceptance Corp/Attn Bankruptcy  
Po Box 6429  
Greenville SC 29606

World Finance Corp  
World Acceptance Corp/Attn Bankruptcy  
Po Box 6429  
Greenville SC 29606

Wynd Discvry  
10750 W Charleston  
Las Vegas NV 89135

/s/Sarah Wood

Dated: August 9, 2017  
Barnwell, S.C.

